HIGH COURT OF CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI JAGDISH BHALLA, Ag. CJ

W.P. (C) No. 5834 of 2007

PETITIONERS (Defendants in Court below)

1. Ram Narayan Singh S/o Udresh Singh, Aged about 55 years,
2. Sanwale Singh, S/o Ram Narayan Singh, Aged about 30 years,
3. Binwa S/o Panikram Aged about 30 years, Caste – Gond

Petitioner No. 1 & 2; Caste – Rajpur All residents of Village-Barbaspur, Police Station – Ramanuj Nagar, Tahsil – Surajpur, District – Surguja (C.G.)

VERSUS

RESPONDENT (Plaintiff Court below)

Somarsai S/o Nanda Caste – Rajwar, Aged about 52 years, R/o Village – Barbaspur, Police Station – Ramanuj Nagar, Tahsil – Surajpur, Distt. Surguja (C.G.)

Petition under Article 227 of the Constitution of India

Present: Shri Mahendra Dubey, counsel for the petitioners.

ORAL ORDER
(Passed on 21st September, 2007)

This petition is directed against the order dated 22-06-2007 whereby the amendment application of the plaintiff was allowed to amend the suit. Counsel for the petitioners-defendants states that earlier also twice the plaintiff had moved the applications for amendment and the same were allowed. It has been further contended that now after amendment there is some ambiguity because there are two Khasra numbers on record vis–a-vis the land in question.

In view of above, it would be open for the defendants to request the trial Court for framing of issue with this respect. In case such application is moved same would be considered in accordance with law. With these observations, writ petition stands disposed of.

Sd/-
Jagdish Bhalla
Ag. Chief Justice

Kamde